

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY & INTESTATE JURISDICTION

NOTICE OF MOTION NO.1682 OF 2002

IN

PETITION NO. 802 OF 1999

Roshan Niranjana Parikh.

...Petitioner/Plaintiff.

vs.

1.Shishir Niranjana Parikh & others.

...Defendants/Respondents.

Ms.A.Ghone, for Petitioners/Plaintiffs.

Mr.K.A.Sampat, for Defendant nos.2 & 4 in support.

CORAM: D.K.DESHMUKH, J.

DATED: 20th July, 2006.

P.C.:-

1. The defendant in Testamentary Suit is seeking interim order in relation to the properties. The properties are not the subject matter of the testamentary suit. The only question that the Court decides in the testamentary suit is whether the Will of which the probate is sought is valid or invalid. Merely because previously there were some orders passed in the testamentary suit, the notice of motion seeking order in relation to the properties is not maintainable. Hence, the notice of motion is disposed of.
